

IN RE: JOSE JAVIER GOMEZ FALGAS

Bkrtcy. No. 10-10158-ESL

Chapter 13

STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES  
AND REPORT ON CONFIRMATION

Petition Filing Date:	Oct 29, 2010	Meeting Date	Dec 02, 2010	DC Track No.	27
Days from petition date	34	Meeting Time	3:00 PM		
910 Days before Petition	5/2/2008	<input type="checkbox"/> Chapter 13 Plan Date	Oct 15, 2010 Dkt.# 2	<input type="checkbox"/> Amended.	
This is debtor(s)	2nd	Bankruptcy petition.	Plan Base:	\$34,500.00	
This is the	1st	Scheduled Meeting	Confirmation Hearing Date:	Dec 29, 2010	Time: 2:00 PM
Payment(s) <input type="checkbox"/> Received or <input type="checkbox"/> Evidence shown at meeting:		Ck/MO No.	Date	Amount	Total Paid In: \$0.00

I. <u>Appearances:</u>	<input type="checkbox"/> Telephone <input type="checkbox"/> Video Conference	<input type="checkbox"/> Creditor(s) present: <input checked="" type="checkbox"/> None.
<input type="checkbox"/> Debtor Present	<input type="checkbox"/> ID & Soc. OK <input type="checkbox"/> Debtor Absent	
<input type="checkbox"/> Joint Debtor Present	<input type="checkbox"/> ID & Soc. OK <input type="checkbox"/> Joint Debtor Absent	
Debtor(s) was/were	<input type="checkbox"/> Examined <input type="checkbox"/> Not Examined under oath.	
Attorney for Debtor(s)	<input type="checkbox"/> Present <input type="checkbox"/> Not Present	<input type="checkbox"/> Pro-se.
<input type="checkbox"/> Substitute attorney:		

II. Attorneys Fees as per R 2016(b) Statement	Attorney of record:	MARILYN VALDES ORTEGA*
Total Agreed: \$3,000.00	Paid Pre-Petition: \$330.00	Outstanding: \$2,670.00 THROUGH THE PLAN

III. Trustee's will file Motion to Dismiss:	<input type="checkbox"/> For Failure to appear; <input type="checkbox"/> For Failure to commence payments.
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IV. Trustee's Report on Confirmation & Status of §341 Meeting		
Debtor(s) Income is (are)	<input type="checkbox"/> Under <input checked="" type="checkbox"/> Above Median Income.	Liquidation Value: <input checked="" type="checkbox"/>
Commitment Period is	<input type="checkbox"/> 36 <input checked="" type="checkbox"/> 60 months. [§1325(b)(1)(B)] Gen. Unsecured Pool: <input checked="" type="checkbox"/>	
<i>1/31</i> The Trustee	<input type="checkbox"/> RECOMMENDS <input type="checkbox"/> OBJECTS <input type="checkbox"/> Plan confirmation.	
§341 Meeting	<input type="checkbox"/> CONTINUED <input type="checkbox"/> NOT HELD <input type="checkbox"/> CLOSED <input checked="" type="checkbox"/> HELD OPEN FOR <i>10</i> DAYS	
§341 Meeting Rescheduled for:		

V. Trustee's OBJECTIONS to Confirmation:	
<input type="checkbox"/> FEASIBILITY [§1325(a)(6)] <input type="checkbox"/> INSUFFICIENTLY FUNDED <input type="checkbox"/> To pay §507 <input type="checkbox"/> Fails Creditor's Best Interest Test §1325(A)(4)	
<input checked="" type="checkbox"/> FAILS DISPOSABLE INCOME REQUIREMENTS <input checked="" type="checkbox"/> Tax returns requirements. [§1308]	
<input type="checkbox"/> Failure to comply with DSO requirements <input type="checkbox"/> Plan not filed in Good Faith §1325(a)(3) <input type="checkbox"/> Unfair Discrimination §1322(a)(3)	

ADDITIONAL OBJECTIONS / COMMENTS:
<i>1) Debtor will submit 2008 tax return.</i>
<i>2) Debtor will submit pre-marital agreement and evidence that Debtor and his wife maintain individual administration and ownership of their property.</i>
<i>3) Debtor will submit evidence of financial help from Debtor's wife.</i>

/s/ José R. Carrión  
Trustee

Presiding Officer

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Date: Dec 02, 2010